

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

CHARLES DOGAN, JR.,

Movant,

v.

Civil Action No. 2:15-cv-11006
(Criminal No. 2:96-cr-00066)

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION AND ORDER

Pending before the court are the following: (1) movant's pro se motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 181), filed on July 16, 2015; (2) movant's "successive petitions" under 28 U.S.C. § 2255 (ECF Nos. 192 and 196), filed on June 27, 2016, and July 12, 2016; and (3) the United States' motion to withdraw referral to the magistrate judge and to stay the case pending the Supreme Court ruling (ECF No. 199), filed on August 4, 2016.

This action was previously referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to the court of his Proposed Findings and

Recommendation ("PF&R") for disposition, pursuant to 28 U.S.C. § 636(b) (1) (B) .

On April 26, 2018, Magistrate Judge Aboulhosn entered his PF&R recommending that the Section 2255 motion and the successive petitions be denied as untimely, that the government's motion be denied as moot, and that this action be dismissed from the docket of the court.

Because neither party has filed objections, de novo review of the matter by this court has been waived.

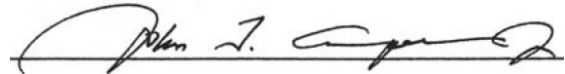
After due and proper consideration of the issues raised, it is, accordingly, ORDERED as follows:

1. That the findings in Magistrate Judge Aboulhosn's Proposed Findings and Recommendation be, and they hereby are, adopted and incorporated in full.
2. That movant's motion and successive petitions under 28 U.S.C. § 2255 be denied.
3. That the United States' motion (ECF No. 199) be denied as moot.

4. That this action be dismissed and removed from the docket of the court.

The Clerk is directed to forward copies of this memorandum opinion and order to the movant, all counsel of record, and United States Magistrate Judge Omar J. Aboulhosn.

DATED: June 1, 2018

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", written over a horizontal line.

John T. Copenhaver, Jr.
United States District Judge